

Analysis

This ordinance amends Title 8 – Consumer Protection and Business Regulations relating to fees and fee category definitions for inspections conducted by the Department of Public Health by:

- Creating new and modifying existing Title 8 definitions relating to public health fees and business categories to make them consistent with definitions found in current State laws and regulations;
- Creating new Title 8 public health license, permit, and service fees pursuant to recently adopted State laws and regulations; and
- Modifying existing Title 8 public health license, permit, and service fees to reflect technical and non-substantive changes.

Very truly yours,

JOHN F. KRATTLI
County Counsel

By



GRACE V. CHANG
Principal Deputy County Counsel
Health Services Division

GVC:vn

Requested: 06/10/14
Revised: 07/07/14

ORDINANCE NO. _____

An ordinance amending Title 8 – Consumer Protection and Business Regulations of the Los Angeles County Code, relating to fees and fee category definitions for inspections conducted by the Department of Public Health.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 8.04.085 is hereby deleted in its entirety:

~~8.04.085 Coastal Commission, approval in concept.~~

~~"Coastal Commission, Approval in Concept" means a preliminary conceptual evaluation of a proposal for the design of a private onsite wastewater treatment system to serve a residential or commercial development in the Coastal Zone for submission to the Coastal Commission.~~

SECTION 2. Section 8.04.332 is hereby deleted in its entirety:

~~8.04.332 Non-community water systems – Non-transient population.~~

~~"Non-community water systems – Non-transient population" means a non-community water system as defined in California Health and Safety Code, Section 116275(j) which regularly serves twenty-five (25) or more of the same persons for more than six (6) months per year.~~

SECTION 3. Section 8.04.331 is hereby added to read as follows:

8.04.331 Non-community water systems – Non-transient population.

"Non-community water systems – Non-transient population" means a non-community water system as defined in California Health and Safety Code, Section 116275(j) which regularly serves twenty-five (25) or more of the same persons for more than six (6) months per year.

SECTION 4. Section 8.04.333 is hereby deleted in its entirety:

~~8.04.333 Non-community water systems – Transient population.~~

~~"Non-community water systems – Transient population" means a non-community water system as defined in California Health and Safety Code, Section 116275(j) which regularly serves fewer than twenty-five (25) of the same persons for more than six (6) months per year.~~

SECTION 5. Section 8.04.332 is hereby added to read as follows:

8.04.332 Non-community water systems – Transient population.

"Non-community water systems – Transient population" means a non-community water system as defined in California Health and Safety Code, Section 116275(j) which regularly serves fewer than twenty-five (25) of the same persons for more than six (6) months per year.

SECTION 6. Section 8.04.333 is hereby added to read as follows:

8.04.333 Non-conventional onsite wastewater treatment system.

"Non-conventional onsite wastewater treatment system" (NOWTS) means an onsite wastewater treatment system that utilizes one or more supplemental treatment components to provide further treatment of the sewage effluent prior to discharging into the dispersal system. Supplemental treatment components include but are not limited to a three (3) compartment treatment tank, aerator, filter pods, pump, ultraviolet disinfection, clarifier, and effluent filtration.

SECTION 7. Section 8.04.335 is hereby deleted in its entirety:

~~8.04.335 Nondiagnostic general health assessment program.~~

~~"Nondiagnostic general health assessment program" means any program engaged in the testing of human biological specimens for the purpose of referral to licensed sources of care, subject to the provisions of Sections 1244 and 1244.1 of the Business and Professions Code.~~

SECTION 8. Section 8.04.334 is hereby added to read as follows:

8.04.334 Nondiagnostic general health assessment program.

"Nondiagnostic general health assessment program" means any program engaged in the testing of human biological specimens for the purpose of referral to licensed sources of care, subject to the provisions of Sections 1244 and 1244.1 of the Business and Professions Code.

SECTION 9. Section 8.04.337 is hereby deleted in its entirety:

~~8.04.337 Notice of closure.~~

~~"Notice of closure" means a public notice that may be posted by the county health officer at a food facility upon suspension or revocation of the facility's public health permit and that results in the immediate closure of the facility and the discontinuance of all operations of the food facility, by order of the county health officer, because of violations of applicable federal, state and local statutes, orders, ordinances, quarantines, rules, regulations, or directives relating to the public health.~~

SECTION 10. Section 8.04.335 is hereby added to read as follows:

8.04.335 Notice of closure.

"Notice of closure" means a public notice that may be posted by the county health officer at a food facility upon suspension or revocation of the facility's public health permit and that results in the immediate closure of the facility and the

discontinuance of all operations of the food facility, by order of the county health officer, because of violations of applicable federal, state, and local statutes, orders, ordinances, quarantines, rules, regulations, or directives relating to the public health.

SECTION 11. Section 8.04.336 is hereby added to read as follows:

8.04.336 Onsite wastewater treatment system.

"Onsite wastewater treatment system" (OWTS) means a system consisting of a septic tank with effluent discharging into a subsurface disposal field, into one (1) or more seepage pits, or into a combination of subsurface disposal field and seepage pits.

SECTION 12. Section 8.04.337 is hereby added to read as follows:

8.04.337 Onsite wastewater treatment system evaluation – with no verification of prior system approval.

"Onsite wastewater treatment system evaluation – with no verification of prior system approval" means the review of construction plans to repair an existing onsite wastewater treatment system (OWTS) or non-conventional onsite wastewater treatment system (NOWTS) in order to restore the system to its originally intended condition or to determine that the proposed addition to a structure neither increases the designed flow nor requires greater capacities for an existing OWTS/NOWTS when evidence of the original approval of the system is not available.

SECTION 13. Section 8.04.338 is hereby added to read as follows:

8.04.338 Onsite wastewater treatment system evaluation – with verification of prior system approval.

"Onsite wastewater treatment system evaluation – with verification of prior system approval" means the review of construction plans to repair an existing onsite

wastewater treatment system (OWTS) or non-conventional onsite wastewater treatment system (NOWTS) in order to restore the system to its originally intended condition or to determine that the proposed addition to a structure neither increases the designed flow nor requires greater capacities for an existing OWTS/NOWTS when evidence of the prior approval of the system is available.

SECTION 14. Section 8.04.349 is hereby added to read as follows:

8.04.349 Post-Coastal Commission approval.

"Post-Coastal Commission approval" means the review of construction plans approved by the California Coastal Commission to ensure that no changes or additional requirements have been imposed on an onsite wastewater treatment system project that would pose a risk or threat to public health or safety.

SECTION 15. Section 8.04.351 is hereby added to read as follows:

8.04.351 Pre-coastal commission approval.

"Pre-Coastal Commission approval" means the project review of an onsite wastewater treatment system (OWTS) or non-conventional onsite wastewater treatment system (NOWTS) project, which is located in the Coastal Zone and requires a California Coastal Commission review.

SECTION 16. Section 8.04.720 is hereby amended to read as follows:

8.04.720 Fee schedule.

Business Classification	Permit Fee
Animal food market	\$175.00

Animal keeper:	
Category I	454.00
Category II	562.00
Category III	616.00
Boarding home:	
7 to 15 persons	508.00
16 to 50 persons	616.00
51 or more persons	681.00
Body art facility:	
1 to 3 practitioners	368.00
4 or more practitioners	443.00
Chargeable re-inspection	141.00
Caterer:	
0 to 999 square feet	1,895.00
1,000 to 1,999 square feet	2,069.00
2,000 or more square feet	2,624.00
Certified farmers' markets sponsor:	
1 to 20 certified producers	187.00
21 or more certified producers	281.00

Children's camp	671.00
Children's day camp	865.00
Commercial sex venue	1,088.00
Commercial laundry:	
Less than 4,000 square feet	260.00
More than 4,000 square feet	671.00
Cottage food operation, Class B	254.00
Fertilizer manufacturer	1,557.00
Food demonstrator	379.00
Food facility or food establishment re-inspection	126.00
Food market, retail:	
1 to 1,999 square feet—low risk	251.00
1 to 1,999 square feet—moderate risk	629.00
1 to 1,999 square feet—high risk	1,003.00
2,000 or more square feet—low risk	337.00
2,000 or more square feet—moderate risk	719.00
2,000 or more square feet—high risk	1,166.00
Food market, wholesale	856.00
Food market complex, wholesale	1,250.00

Food processing establishment:	
Low risk	955.00
Less than 2,000 square feet of food preparation	2,000.00
2,000 to 5,999 square feet of food preparation	2,354.00
6,000 square feet or more of food preparation	2,624.00
Reinspection—all sizes	174.00
Food salvager	1,817.00
Food vehicle:	
Food vehicle, independent delivery	110.00
Mobile food facility—food cart, low risk	342.00
Mobile food facility—food cart, high risk	671.00
Mobile food facility—food truck, low risk	602.00
Mobile food facility—food truck, high risk	787.00
Food vehicle commissary:	
0 to 10 vehicles	498.00
11 or more vehicles	567.00
Food vehicle storage facility	332.00
Food vehicle cleaning and storage facility	366.00
Food warehouse:	

1 to 4,999 square feet	352.00
5,000 or more square feet	387.00
Garment manufacturing establishment:	
Up to 1,000 square feet	519.00
1,001 to 4,999 square feet	584.00
5,000 to 9,999 square feet	606.00
10,000 to 19,999 square feet	627.00
More than 20,000 square feet	692.00
Garment manufacturing complex	671.00
Hotel or motel:	
6 to 10 rooms	433.00
11 to 20 rooms	433.00
21 to 50 rooms	530.00
51 to 100 rooms	552.00
101 rooms and over	649.00
Laundry (self-service):	
Less than 4,000 square feet of work rooms	162.00
4,000 square feet or more of work rooms	221.00
Motion picture catering operation	1,009.00

Multiple-dwelling units:	
Apartments—5 to 10 units	299.00
Apartments—11 to 20 units	309.00
Apartments—21 to 50 units	368.00
Apartments—51 to 100 units	394.00
Apartments—101+ units	417.00
Condominiums—5 to 10 units	110.00
Condominiums—11 to 20 units	120.00
Condominiums—21 to 50 units	133.00
Condominiums—51 to 100 units	194.00
Condominiums—101 or more units	284.00
Personal hawker	195.00
Private boarding school	649.00
Private school cafeteria	476.00
Recycled water:	
Inspection	260.00
Use site registration	65.00
Residential hotel/single room occupancy:	
6 to 10 units	433.00

11 to 20 units	433.00
21 to 50 units	530.00
51 to 100 units	552.00
101 or more units	649.00
Restaurant:	
0 to 30 seats—low risk	277.00
0 to 30 seats—moderate risk	625.00
0 to 30 seats—high risk	1,049.00
31 to 60 seats—low risk	299.00
31 to 60 seats—moderate risk	663.00
31 to 60 seats—high risk	1,138.00
61 to 150 seats—low risk	322.00
61 to 150 seats—moderate risk	729.00
61 to 150 seats—high risk	1,196.00
151 seats or more—low risk	348.00
151 seats or more—moderate risk	810.00
151 seats or more—high risk	1,250.00
(In computing drive-in restaurant seating capacity, each customer parking space shall be calculated as equivalent to a seating capacity of two.	

Notwithstanding any of the foregoing, when the restaurant is a snack bar or refreshment stand on the premises of a walk-in or drive-in theater, as set forth in Section 8.04.400 of this chapter, the fee shall be equivalent to that imposed on a restaurant of less than thirty (30) seats.)	
Senior feeding site	314.00
Septic tank, cesspool, chemical toilet, or seepage — pit cleaning vehicle <u>Sewage cleaning and carrying vehicle</u>	182.00
Swap meet prepackaged food booth	158.00
Swimming pool or public swimming area:	
High risk:	
First pool at location	876.00
Each additional pool at the same location	454.00
Low risk:	
First pool at location	238.00
Each additional pool at the same location	141.00
Moderate risk:	
First pool at location	584.00
Each additional pool at the same location	303.00
Theater (including drive-in)	234.00

Tobacco retail license fee	235.00
Toilet rental agency	476.00
Vending machines:	
1-3 vending machines	62.00
Each additional machine	23.00
Water systems:	
15 to 24 service connections	1,103.00
25 to 99 service connections	1,233.00
100 to 199 service connections	1,363.00
Local small water system (1 to 4 service connections)	714.00
State small water system (5 to 14 service connections)	844.00
Non-community water system non-transient	844.00
Non-community water system transient	844.00
Wiping rag business	714.00

SECTION 17. Section 8.04.725 is hereby amended to read as follows:

8.04.725 Schedule of plan check fees.

The Schedule of Plan Check fees to be paid at the time plans are submitted to the County health officer shall be as follows:

Business Classification	Plan Check Fees
Body art facility:	
Permanent cosmetics	298.00
Remodel	298.00
Tattooing, Piercing, Branding	494.00
Cross-connection	1,557.00
Food facility remodel,	
300 square feet or less	274.00
Food market, retail:	
25 to 50 square feet	746.00
51 to 1,999 square feet	973.00
2,000 to 5,999 square feet	1,071.00
6,000 to 19,999 square feet	1,363.00
20,000 or more square feet	1,655.00
Food market, wholesale	1,304.00
Food market complex, wholesale	2,012.00
Food processing establishment:	
1 to 1,999 square feet	1,525.00

2,000 to 5,999 square feet	1,882.00
6,000 or more square feet	2,249.00
Food salvager	464.00
Food vehicle, retail	649.00
Food vehicle commissary	692.00
Food vehicle storage facility	175.00
Food vehicle cleaning and storage facility	175.00
Food warehouse:	
0 to 500 square feet	746.00
501 to 4,999 square feet	876.00
5,000 to 9,999 square feet	1,006.00
10,000 or more square feet	1,103.00
<u>Onsite wastewater treatment systems:</u>	
<u>Post Coastal Commission approval (onsite wastewater treatment system or non-conventional onsite wastewater treatment system)</u>	<u>392.00</u>
<u>Pre-Coastal Commission approval (onsite wastewater treatment system)</u>	<u>1,329.00</u>
<u>Pre-Coastal Commission approval (non-conventional onsite wastewater treatment system)</u>	<u>1,727.00</u>
<u>Project review (onsite wastewater treatment system – new or replacement)</u>	<u>1,329.00</u>

<u>Project review (non-conventional onsite wastewater treatment system – new or replacement)</u>	<u>1,727.00</u>
<u>Onsite wastewater treatment system evaluation – with verification of prior system approval</u>	<u>389.00</u>
<u>Onsite wastewater treatment system evaluation – with no verification of prior system approval</u>	<u>454.00</u>
Radiation health:	
Dental	357.00
Other	699.00
Restaurant:	
Less than 500 square feet	908.00
500 to 1,999 square feet	1,330.00
2,000 to 3,999 square feet	1,622.00
4,000 to 9,999 square feet	1,979.00
10,000 or more square feet	2,368.00
Swimming pool, public—new	1,038.00
Swimming pool, public—major renovation	389.00
Swimming pool, public—minor renovation	130.00
Swimming pool, public—standard renovation	260.00
Water systems:	

Community water systems (new or revised or ownership change)	1,298.00
Non-community water system (new or revised or ownership change)	1,038.00

SECTION 18. Section 8.04.728 is hereby amended to read as follows:

8.04.728 Service charges – Basis – Payment.

A. Whenever another government jurisdiction requires a person to secure an inspection, evaluation, report or approval by the County health officer, necessitating the County health officer to provide a service, such person shall pay a fee to offset the costs incurred by the County health officer as set forth in this section.

B. Any person who voluntarily seeks to secure, from the County health officer, an inspection, evaluation, report, approval, or other service not listed in Section 8.04.720 shall pay a fee to offset the costs incurred by the County health officer as set forth in this section.

C. Requests for special services described in Subsections A and B of this section shall be made on forms provided for that person by the County health officer. Services provided by the County health officer that are not listed in Section 8.04.720 and that are not detailed in the Schedule of Service Charge in Subsection F, shall be charged in accordance with the following Standard Billing Hourly Rate Schedule. All applicable fees, as provided in this chapter, shall be paid at the time of application or request.

Position Classification	Rate (\$/hr)
Chief Environmental Health Specialist	\$153.00

Clerical—Blended	68.00
Environmental Health Specialist II	116.00
Environmental Health Specialist III/IV Environmental Health Staff	129.00
Environmental Health Technician	77.00
Epidemiologist	148.00
Industrial Hygienist	141.00
Senior Radiation Protection Specialist	139.00

D. The County health officer, upon request and in his discretion, may provide to a party requesting plan review an Expedited Construction Inspection. The initial Expedited Construction Inspection shall be completed within forty-eight (48) hours from receipt of payment of the fee. The fee charged shall be one-half (0.5) of the appropriate plan check fee and shall cover the cost of the initial and, if the County health officer deems it necessary, a final construction inspection. If a final construction inspection is deemed necessary, the party shall submit a separate request for such final construction inspection which shall be completed within forty-eight (48) hours from the time said request is received. Any additional construction inspections will be charged according to the Standard Billing Hourly Rate Schedule in Subsection C above.

E. The County health officer, upon request and in his discretion, may provide to a party requesting an Expedited Plan Check Review Process. An Expedited Plan Check Review Process shall consist of the initial plan review to be completed within ten (10) working days from receipt of payment of the fee and one follow-up plan review, and

upon separate request, an initial and, if the County health officer deems it necessary, a final construction inspection to be completed within forty-eight (48) hours from the time said request is received. A fee shall be charged at the rate of one and a half (1.5) times the appropriate plan check fee and shall cover the cost of the expedited initial and follow-up plan review and the expedited initial and final construction inspections. Any additional reviews or inspections will be charged according to the Standard Billing Hourly Rate Schedule in Subsection C above.

F. Following is the Schedule of Service Charges for services provided by the County health officer. Failure to pay said fees constitutes a violation of this section and may be prosecuted as such.

Backflow prevention assembly (each):	\$ 32.00 20.00
Backflow prevention device tester:	
Biennial certification examination tester fee	296.00
Listing of certified backflow prevention device testers	240.00
Body art:	
Bloodborne pathogens exposure control training approval	434.00
Practitioner annual certificate of registration	47.00
Temporary event promoter	1,426.00
Temporary facility	130.00
Coastal Commission—Approval in concept	392.00
Community event (a separate permit is required for each event)	

and each location):	
Community event organizer	311.00
Temporary food facility—demonstrator	51.00
Temporary food facility—prepackaged	71.00
Temporary food facility—prepackaged with food sampling	101.00
Temporary food facility—food preparation	160.00
Temporary food booth at single location-Annual, food preparation	441.00
Temporary food booth at single location-Annual, Prepackaged	143.00
Temporary food booth at single location-Annual, Prepackaged with food sampling	182.00
Cottage food operation:	
Class A, annual registration	103.00
Complaint investigation	184.00
Entomology:	
Specimen identification	41.00
Massage parlor:	
Massage parlor inspection	175.00

Mountain cabin site:	
County health officer inspection (per United States Forest Service requirements)	Standard Billing Hourly Rate
Nondiagnostic laboratories:	
Annual fee	150.00
Additional fee site	48.00
Additional diagnostic test fee	144.00
Owner initiated inspection:	
a. Restaurant—low risk	287.00
b. Restaurant—moderate risk	340.00
c. Restaurant—high risk, Caterer, Mobile Food Facility, or Motion Picture Catering Operation	383.00
d. Food market retail—low risk	250.00
e. Food market retail—moderate risk	312.00
f. Food market retail—high risk	333.00
Private sewage disposal system:	
County health officer inspection (per VAFHA requirements)	365.00
County health officer permit (per Title 28, Los Angeles County Code, Ordinance 2269, Section 1109):	

New system	389.00
Existing system	454.00
Public health license waiver letter request (garment industry)	249.00
Public/state water system enforcement activities:	
Public water system administrative hearing	324.00
Public water system citation	649.00
Public water system NOV	260.00
State—local water system administration hearing	324.00
State—local water system citation	519.00
State—local water system NOV	260.00
Site transfer/site address change	51.00
Soft serve high count resample	389.00
Swimming pool service technician/apprentice exam and certification:	
Swimming pool service technician/apprentice exam	184.00
Swimming pool service technician/apprentice technician certification renewal fee	65.00
Water sampling—commercial for USDA	714.00

Water supply yield:	
Water supply yield test—commercial	1,038.00
Water supply yield test—residential four (4) connections or less	844.00
Water supply yield test—residential each additional connections beyond four (4)	519.00
Water treatment system evaluation	519.00
Wells:	
Monitoring well construction (less than twenty-five (25) wells per parcel)	519.00
Monitoring well construction twenty-five (25) or more wells per parcel	130.00
Well construction (production, cathodic, irrigation)	844.00
Well destruction—or renovation (production, cathodic, irrigation)	1,103.00
Geothermal heat exchange well construction	519.00
Well application cancellation	65.00
Well site plan review	584.00

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